

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Thomas WIEBKE et al. : Attn: APPLICATION BRANCH  
Serial No. NEW : Docket No. 2001\_0032A  
Filed January 16, 2001 :  
METHOD AND APPARATUS FOR A CDMA  
CELLULAR RADIO TRANSMISSION SYSTEM

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEE FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975.

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Prior to initial examination of the above-identified application, kindly amend the application  
as follows:

**IN THE CLAIMS:**

**Kindly amend as follows:**

**Claim 3:**

Line 1, delete "or 2".

**Claim 4:**

Line 1, change "one of claims 1 to 3," to --claim 1,--.

**Claim 6:**

Line 1, delete "or 5".

**Claim 7:**

Line 1, change "one of claims 1 to 6," to --claim 1,--.

**Claim 9:**

Line 1, change "one of claims 1 to 8," to --claim 1,--.

**Claim 10:**

Line 1, change "one of claims 1 to 9," to --claim 1,--.

**Claim 11:**

Line 1, change "one of claims 1 to 9," to --claim 1,--.

**Claim 12:**

Line 1, change "one of the claims 1 to 11," to --claim 1,--.

**Claim 15:**

Line 1, delete "or 14".

**Claim 20:**

Line 1, delete "or 19".

**Claim 21:**

Line 1, change "one of claims 17 to 20," to --claim 17,--.

**Claim 22:**

Line 1, change "one of claims 17 to 20, " to --claim 17,--.

**Claim 23:**

Line 1, change "one of claims 17 to 22," to --claim 17,--.

**Claim 24:**

Line 1, change "one of claims 17 to 23," to --claim 17,--.

**Claim 27:**

Line 1, delete "or 26".

**Claim 29:**

Line 1, change "one of claims 25 to 28," to --claim 25,--.

**Kindly add the following new claims:**

-- 30. The method according to claim 2, characterized by the further step of signalling the adapted spreading factor over the radio link.

31. The method according to claim 2, characterized by the further steps of encoding the source signal, prior to modulation, with a forward error correction (FEC) code rate, and

adapting the FEC code rate.

32. The method according to claim 5, characterized by the further step of signalling the adapted FEC code rate over the radio link.

33. The method according to claim 14, characterized in that the determination step includes receiving a transport format indicator indicating the spreading factor and/or FEC code rate.

34. The transmitter according to claim 19, characterized by further comprising a multiplexer (14) for inserting a transport format indicator into the signal to be transmitted.

35. The transmitter according to claim 18, characterized by further comprising an encoder (11) for encoding the signal from the source (10) with a forward error correction (FEC) code rate and in that the control unit (13) adapts the FEC code rate.

36. The transmitter according to claim 18, characterized by further comprising a source encoder (11) with multiple modes which are adjustable by the control unit (13).

37. The transmitter according to claim 18, characterized by further comprising power control means (13) for controlling the transmit power in accordance with the adapted spreading factor and/or FEC code rate.

38. The transmitter according to claim 18, characterized in that said transmitter is embodied as a base station.

39. The receiver according to claim 26, characterized in that the means for determining include a control unit (23) for receiving a transport format indicator indicating the spreading factor and/or the FEC code rate.


40. The receiver according to claim 26, characterized in that said transmitter is embodied as a mobile station. --

**REMARKS**

The present Preliminary Amendment is submitted to delete the multiple dependencies in the original claims, thereby placing such claims in condition for examination and reducing the required PTO filing fee.

Respectfully submitted,

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